

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Licenses 385,
2266, 2267, and 2740 Issued on
Applications 959, 2881, 3843, and
10190,
CAMP FAR WEST IRRIGATION DISTRICT
Licensee.

Order: WR 74-33
Source: Bear River
Counties: Placer and Yuba

ORDER AMENDING LICENSES

BY BOARD VICE CHAIRMAN ROBIE:

On August 1, 1969, petitions were filed by Camp Far West Irrigation District to enlarge the place of use under its Licenses 385, 2266, 2267, and 2740. The petitions were protested by South Sutter Water District, Del Monte Corporation, and the U. S. Bureau of Reclamation, and a hearing was held on April 27 and 28, 1972.

Subsequent to the hearing an agreement was reached resulting in withdrawal of the protests. As a result of the agreement, the licensee requested that the petitions be amended to request that the place of use under the licenses read as follows:

"A net irrigable area of 4,445 acres within a gross area of 5,045 acres consisting of 4,732 acres within the boundaries of Camp Far West Irrigation District and 313 acres outside the District." (The proposed new place of use is shown on a map filed with the Board.)

There is no change in the net irrigable area, the land use, the purpose of use of water, or the quantity of water diverted. The proposed change in place of use will not operate to the injury of any other legal user of water and will have no significant effect on the environment.

NOW, THEREFORE, IT IS ORDERED:

That the place of use under Licenses 385, 2266, 2267, and 2740, issued on Applications 959, 2881, 3843, and 10190 be changed to a place of use as follows:

A net irrigable area of 4,445 acres within a gross area of 5,045 acres consisting of 4,732 acres within the boundaries of Camp Far West Irrigation District and 313 acres outside the District, all as more explicitly set forth on a map on file with the State Water Resources Control Board.

Dated: October 17, 1974

We Concur:

RONALD B. ROBIE
Ronald B. Robie, Vice Chairman

AGENT
W. W. Adams, Chairman

ROY E. DODSON
Roy E. Dodson, Member

MRS. CARL H. (JEAN) AUER
Mrs. Carl H. (Jean) Auer, Member

W. DON MAUGHAN
W. Don Maughan, Member

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 10221

PERMIT 14871

LICENSE 11120

ORDER ALLOWING CHANGE IN PURPOSE OF USE
AND PLACE OF USE

WHEREAS:

1. License 11120 was issued to South Sutter Water District and was recorded with the County Recorder of Yuba County on May 19, 1981 in Book 753, Page 157 and with the County Recorder of Placer County on May 20, 1981 in Volume 2391, Page 368.
2. A petition for change in purpose of use and place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
3. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purposes of use under this license shall be as follows:

Irrigation, Domestic and Incidental Power

2. The place of use under this license shall be as follows:

Domestic use and irrigation of 59,000 acres within a gross area of 65,796 acres, within the boundaries of South Sutter Water District; and Irrigation of a net area of 4,180 acres (including 102 acres located outside District boundaries and served by contract) within Camp Far West Irrigation District, and a power plant located on the Conveyance Canal within the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1, T13N, R5E, MDB&M, as shown on map on file with State Water Resources Control Board.

JULY 2 1985

Dated:

Raymond Walsh
Raymond Walsh, Chief
Division of Water Rights

APPLICATION 10221
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PERMIT 14871

LICENSE 11120

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

DOMESTIC USE AND IRRIGATION OF 59,000 ACRES WITHIN A GROSS AREA OF 65,796 ACRES, WITHIN THE BOUNDARIES OF SOUTH SUTTER WATER DISTRICT; AND IRRIGATION OF A NET AREA OF 4,180 ACRES (INCLUDING 102 ACRES LOCATED OUTSIDE DISTRICT BOUNDARIES AND SERVED BY CONTRACT) WITHIN CAMP FAR WEST IRRIGATION DISTRICT, AS SHOWN ON MAPS FILED WITH STATE WATER RESOURCES CONTROL BOARD.

FOR THE PROTECTION OF FISH AND WILDLIFE, LICENSEE SHALL DURING THE PERIOD:
(A) FROM APRIL 1 THROUGH JUNE 30 BY-PASS A MINIMUM OF 25 CUBIC FEET PER SECOND,
(B) FROM JULY 1 THROUGH MARCH 31 BY-PASS A MINIMUM OF 10 CUBIC FEET PER SECOND.
THE TOTAL STREAMFLOW SHALL BE BYPASSED WHENEVER IT IS LESS THAN THE DESIGNATED AMOUNT FOR THAT PERIOD.

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LICENSEE SHALL MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER ENTERING THE RESERVOIR WHICH IS NOT AUTHORIZED FOR APPROPRIATION UNDER THIS LICENSE MAY BE RELEASED.

BEFORE MAKING ANY CHANGE IN THE PROJECT DETERMINED BY THE STATE WATER RESOURCES CONTROL BOARD TO BE SUBSTANTIAL, LICENSEE SHALL SUBMIT SUCH CHANGE TO THE BOARD FOR ITS APPROVAL IN COMPLIANCE WITH WATER CODE SECTION 10504.5(A).

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 10221

PERMIT 14871

LICENSE 11120

ORDER CORRECTING THE POINT OF DIVERSION,
POINT OF REDIVERSION, AND
AMENDING THE LICENSE

WHEREAS:

1. License 11120 was issued to South Sutter Water District and recorded with the County Recorder of Yuba County in Book 753, Page 157, on May 19, 1981, and with the County Recorder of Placer County in Volume 2391, Page 368, on May 20, 1981.
2. An order allowing change in purpose of use and place of use was granted on July 2, 1985 and has been recorded with the County Recorder of Yuba County on July 10, 1985, in Book 855, Page 608, and with the County Recorder of Placer County in Book 2834, Page 268, on July 11, 1985.
3. A review of the files and an inspection of the project on August 26, 1991 revealed that a diversion dam was not included in the original license.
4. The State Water Resources Control Board (State Water Board), has determined that said correction will not initiate a new right nor operate to the injury of any other lawful user of the water and that good and sufficient cause has been shown for said correction.
5. The license condition pertaining to the State Water Board's continuing authority should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

2. Direct Diversion and redirection of releases from storage:
Camp Far West Diversion Dam: South 400 feet and West 2,850 feet from the NE corner of Section 29, T14N, R6E, MDB&M, being within the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 29 (California Coordinate System, Zone 2, N 501,550 and E 2,189,600).

(0000002)

2. The license condition pertaining to the State Water Board's continuing authority shall be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated:

JULY 22 1993



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 10221
PAGE 1 OF 3

PERMIT 14871

LICENSE 11120

THIS IS TO CERTIFY, That SOUTH SUTTER WATER DISTRICT
C/O MURRAY, BURNS AND KIENLEN,
1107 - 9TH STREET, ROOM 600, FORUM BUILDING, SACRAMENTO, CALIFORNIA 95814

HAS made proof as of DECEMBER 19, 1973
AND MARCH 8, 1980 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
BEAR RIVER IN YUBA AND PLACER COUNTIES

tributary to FEATHER RIVER

for the purpose of IRRIGATION AND DOMESTIC USES
under Permit 14871 of the Board and that the right to the use of this water has been perfected
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the
priority of this right dates from JUNE 13, 1941 and that the amount of water to which
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated
purposes and shall not exceed (A) TWO HUNDRED FIFTY (250) CUBIC FEET PER SECOND BY
DIRECT DIVERSION, TO BE DIVERTED FROM MARCH 1 TO JUNE 30 AND SEPTEMBER 1 TO
OCTOBER 31 OF EACH YEAR; AND (B) FORTY THOUSAND (40,000) ACRE-FEET PER ANNUM BY
STORAGE, TO BE COLLECTED FROM OCTOBER 1 OF EACH YEAR TO JUNE 30 OF THE SUCCEEDING
YEAR. THE EQUIVALENT OF SUCH CONTINUOUS FLOW ALLOWANCE FOR ANY 30-DAY PERIOD MAY
BE DIVERTED IN A SHORTER TIME PROVIDED THERE BE NO INTERFERENCE WITH OTHER VESTED
RIGHTS.

THE TOTAL AMOUNT OF WATER COLLECTED TO STORAGE UNDER THIS LICENSE, LICENSES 2266
AND 2740 (APPLICATIONS 2881 AND 10190) AND RIGHTS INITIATED UNDER PERMIT 11297
(APPLICATION 14804) SHALL NOT EXCEED 102,100 ACRE-FEET PER YEAR.

THE COMBINED AMOUNT OF WATER TAKEN FROM THE SOURCE (DIRECT DIVERSION PLUS COLLEC-
TION TO STORAGE) UNDER THIS LICENSE TOGETHER WITH RIGHTS INITIATED UNDER PERMIT
11297 (APPLICATION 14804) SHALL NOT EXCEED 180,550 ACRE-FEET PER YEAR. THE
COMBINED AMOUNT OF WATER TO BE PLACED TO BENEFICIAL USE (DIRECT DIVERSION PLUS
WITHDRAWAL FROM STORAGE) UNDER THIS LICENSE TOGETHER WITH RIGHTS INITIATED UNDER
PERMIT 11297 (APPLICATION 14804) SHALL NOT EXCEED 138,300 ACRE-FEET PER YEAR.
THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS LICENSE AND RIGHTS INITIATED
UNDER PERMIT 11297 (APPLICATION 14804) SHALL NOT EXCEED 450 CUBIC FEET PER SECOND.

THIS LICENSE DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree